

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WILFREDO CRUZ,

Plaintiff,

- against -

PS1 CONTEMPORARY ART CENTER,

Defendant.

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**ROSLYNN R. MAUSKOPF, United States District Judge.**

On December 20, 2010, this Court set a briefing schedule in connection with Defendant's request to file a Motion to Dismiss pursuant to Rule 12(b)(6). As reflected in the letter filed by Defendant on April 4, 2011 (Doc. No. 7), Defendant timely served *pro se* Plaintiff with its motion; however, Plaintiff never served any papers in opposition. By Order entered April 5, 2011, the Court subsequently granted Defendant leave to file its motion as unopposed, which motion Defendant filed on April 6, 2011 (Doc. No. 12).

On April 12, 2011, Plaintiff requested that the Court grant him additional time to seek counsel, and intends to file an application for the appointment of counsel. That motion has yet to be made.

Out of an abundance of caution, and in light of Plaintiff's *pro se* status, the Court will accord Plaintiff until May 13, 2011 to oppose Defendant's Motion to Dismiss. **No further extensions will be granted.**<sup>1</sup> Should Plaintiff fail to comply with this Order, Defendant's motion will be deemed filed as unopposed.

Plaintiff is reminded that he may contact the Court's Pro Se Office for assistance in opposing the motion. The Clerk of Court shall a copy of this Order to Plaintiff

SO ORDERED.

Dated: Brooklyn, New York  
April 15, 2011

/S/

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ROSLYNN R. MAUSKOPF  
United States District Judge

<sup>1</sup> Should Plaintiff wish to seek appointment of counsel, he should do so immediately. This thirty-day period will not be extended, even should Plaintiff obtain counsel on his own or through application to the Court.